

2024-02-01



**MINOR VARIANCE APPLICATION  
COMMENTS TO THE COMMITTEE OF ADJUSTMENT  
PANEL 1**

**PLANNING, REAL ESTATE AND ECONOMIC DEVELOPMENT DEPARTMENT**

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Site Address:	150 Lyman Street
Legal Description:	Lot 21, Plan 440
File No.:	D08-02-23/A-00327
Report Date:	February 1, 2024
Hearing Date:	February 07, 2024
Planner:	Margot Linker
Official Plan Designation:	Inner Urban Transect, Neighbourhood, Evolving Neighbourhood Overlay
Zoning:	R1S (Residential First Density, Subzone S) Mature Neighbourhoods Overlay

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**DEPARTMENT COMMENTS**

The Planning, Real Estate and Economic Development Department **has concerns with** the application.

**DISCUSSION AND RATIONALE**

Staff have reviewed the subject minor variance application against the “four tests” as outlined in Section 45 (1) of the *Planning Act*, R.S.O. 1990 c. P.13, as amended.

The subject site is located in the Inner Urban Transect, designated as a Neighbourhood within the Evolving Neighbourhood Overlay, as per Schedule B2 of the Official Plan. It is also located within the Richmond Road / Westboro Secondary Plan area, as per Annex 6 of the Official Plan. The site falls within 600 metres of the Westboro transit station and future Westboro O-Train station.

The Official Plan describes the built form of the Inner Urban Transect as consisting of a mix of urban and suburban characteristics. However, the intended pattern is urban (5.2.1). As the site is located within 600m of the Westboro Transit Station, it is well connected to transit, and it is rated very high in the City’s 15-Minute Neighbourhood study. While parking is not required for this area as it has high access to amenities and services, where it is provided, it should be concealed from the street and not forming an integral part of a building, such as in a front facing garage (Table 6). The secondary plan provides a framework for managing the anticipated change, which includes preserving the scale and character of existing neighbourhoods (Section 1).

The R1S (Residential First Density, Subzone S) zone seeks to regulate development in a manner that is compatible with existing land use patterns in order to maintain or enhance the residential character of the neighbourhood. The site falls within the Mature Neighbourhoods Overlay, which regulates zoning requirements and permissions in accordance with this existing character.

Staff have concerns regarding the compatibility of the variance seeking to permit a front-facing garage. The result of the Streetscape Character Analysis demonstrated that front-facing attached garages are not a dominant characteristic of the area surrounding the site. Front-facing attached garages often push the livable floor area of the dwelling upwards and/or towards the rear yard, resulting in a break of character for the streetscape. These infill developments enhance the dominance of the automobile, and render the principle entranceway less important than the car's storage. This elevates the presence of automobiles in neighbourhoods that were built prior to the mass-commercialization of the automobile. With the addition of these garages, future Streetscape Character Analysis results could tip the scales in favour of front-facing garages. This would be inconsistent with the direction of policy in this area.

## **ADDITIONAL COMMENTS**

### **Infrastructure Engineering**

1. **Planning, Real Estate and Economic Development Department** will do a complete review of grading and servicing during the building permit process.
2. Any proposed works to be located within the road allowance requires prior written approval from the **Infrastructure Services Department**.
3. The surface storm water runoff including the roof water must be self-contained and directed to the City Right-of-Way, not onto abutting private properties as approved by **Planning, Real Estate and Economic Development Department**.
4. Existing grading and drainage patterns must not be altered.
5. Service lateral spacing shall be as specified in City of Ottawa Standard S11.3.

### **Planning Forestry**

The TIR notes that both existing protected trees will be retained and protected through this development. There are no tree-related concerns with the requested minor variance. Tree protection fencing must be installed and maintained through the entire duration of construction.

### **Right of Way Management**

If the minor variance for front facing garage is granted, the Owner shall be made aware that a private approach permit is required to establish the new private approach and close the portion of the existing redundant private approach. As a result, a private approach permit will be required to modify the private approach on Lyman Street.

### **Transportation Engineering**

1. Remove existing driveway depressed curb and reinstate with full height curb and sidewalk to City standards.

*Margot Linker*

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